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## NOTICE OF ALLOWANCE AND FEE(S) DUE

35979 7590 07/23/2010

BRACEWELL & GIULIANI LLP  
P.O. BOX 61389  
HOUSTON, TX 77208-1389

|                         |              |
|-------------------------|--------------|
| EXAMINER                |              |
| PHONGSVIRAJATI, POONSIN |              |
| ART UNIT                | PAPER NUMBER |
| 3686                    |              |

DATE MAILED: 07/23/2010

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/806,878      | 03/23/2004  | Leon M. Clements     | 0771CG.035249       | 2679             |

TITLE OF INVENTION: PHARMACEUTICAL INVENTORY AND DISPENSATION COMPUTER SYSTEM AND METHODS

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | YES          | \$755         | \$300               | \$0                  | \$1055           | 10/25/2010 |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax** **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

35979 7590 07/23/2010

**BRACEWELL & GIULIANI LLP**  
**P.O. BOX 61389**  
**HOUSTON, TX 77208-1389**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

### Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the **Mail Stop ISSUE FEE** address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

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| nonprovisional          | YES          | \$755          | \$300               | \$0                  | \$1055           | 10/25/2010 |
| EXAMINER                | ART UNIT     | CLASS-SUBCLASS |                     |                      |                  |            |
| PHONGSVIRAJATI, POONSIN | 3686         | 705-002000     |                     |                      |                  |            |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are submitted:

Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

A check is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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| 35979  | 7590        | 07/23/2010           | EXAMINER            |                         |
| BRACEWELL & GIULIANI LLP<br>P.O. BOX 61389<br>HOUSTON, TX 77208-1389 |             |                      |                     | PHONGSVIRAJATI, POONSIN |
| ART UNIT   |             | PAPER NUMBER         |                     |                         |
| 3686   |             |                      |                     | DATE MAILED: 07/23/2010 |

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 940 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 940 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

|                               |                     |                 |  |
|-------------------------------|---------------------|-----------------|--|
| <b>Notice of Allowability</b> | Application No.     | Applicant(s)    |  |
|                               | 10/806,878          | CLEMENTS ET AL. |  |
|                               | Examiner            | Art Unit        |  |
|                               | SIND PHONGSVIRAJATI | 3686            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 05/07/2010.
2.  The allowed claim(s) is/are 1-5,7-15,25-33,35 and 36.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 20090918
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

/S. P./  
Examiner, Art Unit 3686

## **DETAILED ACTION**

### ***Status of Claims***

1. In response to communications filed on 05/07/2010, claims 1-5, 7-15, 25-33, and 35-36 are pending for allowance, claims 6 is canceled. Claims 16-24 and 34 are withdrawn as being a non-elected invention.

### ***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance: Claims 29-52 are allowed.

The primary reason for allowance is the inclusions of the following limitations in the combination as recited.

Claim 1 is directed towards a method for computerized monitoring of dispensation of pharmaceuticals to inmates and dispensation of prescribed medication to prisoners within correctional facilities defining inmates in conjunction with computerized records including an electronic medical record containing information about a specific inmate to receive prescribed medication and the inmate's medical history, the method comprising the steps of: reviewing the inmate's electronic medical record to verify that the prescribed medication is suitable for the inmate responsive to electronic medical record data contained therein, the electronic medical record stored in computer memory of a first computer defining a computerized records computer

configured to manipulate and store the computerized records including the electronic medical record; authorizing release of the inmate's prescribed medication by a pharmacist located at a central pharmacy responsive to the prescribed medication being verified as suitable for the inmate; labeling a unit packet of the inmate's prescribed medication for dispensing to the inmate responsive to the authorization; delivering the unit packet of the inmate's prescribed medication to a correctional facility unit that houses the inmate, the correctional facility unit located remote from the central pharmacy; transferring the unit packet of the inmate's prescribed medication within the correctional facility unit to administer the inmate's prescribed medication to the inmate; performing an automated verification that the inmate is the inmate who has been prescribed the inmate's prescribed medication by a second computer defining a correctional facility unit computer prior to forming a record of dispensing the unit packet of the inmate's prescribed medication to the inmate responsive to the inmate swiping an identification card through a card swiper, the correctional facility unit computer configured to store computerized dispensation, received verification, and administration verification records; dispensing the unit packet of the inmate's prescribed medication to the inmate; forming a record of dispensing the unit packet of the inmate's prescribed medication to the inmate in computer memory of the correctional facility unit computer responsive to the dispensing of the prescribed medication to the inmate, the correctional facility unit computer positioned in communication with the computerized records computer to update the inmate's electronic medical record; verifying receipt by the

inmate of the unit packet of the inmate's prescribed medication; forming a receipt verification record in the computer memory of the correctional facility unit computer indicating verification that the inmate received the unit packet of the inmate's prescribed medication responsive to the verification of receipt by the inmate; performing an actual physical verification verifying whether or not the inmate consumed the inmate's prescribed medication; performing one of the following administration verification steps: forming an administration verification record in the computer memory of the correctional facility unit computer indicating an actual physical verification that the inmate consumed the inmate's prescribed medication responsive to the verification of consumption by the inmate, and forming the administration verification record in the computer memory of the correctional facility unit computer indicating that the inmate did not consume the unit packet of the inmate's prescribed medication when so occurring; updating the inmate's electronic medical record by the computerized records computer responsive to receiving the administration verification record from the correctional facility unit computer; receiving a data entry from a correctional facility pill window technician for the respective correctional facility unit indicating an allergic reaction to the inmate's prescribed medication; and updating the inmate's electronic medical record over a communications network responsive to the step of receiving the data entry indicating an allergic reaction to the inmate's prescribed medication.

The closest prior art of record are as follows:

Chudy (US 2004/0088187) teaches of a system and method for optimized

management of pharmacy workflow, specifically, workflow associated with fulfillment of prescription orders for medications and health-related products in a pharmacy environment. Chudy teaches the steps of reviewing the electronic medical record to verify that the prescribed medication is suitable for the patient; authorizing release of the prescribed medication for the patient if the prescribed medication has been verified as suitable for the patient; labeling a unit packet of the prescribed medication for dispensing; delivering the unit packet of the prescribed medication to a facility unit that houses the patient.

Chudy does not specifically disclose the computerized method being directed towards inmates or correctional facilities. Furthermore, Chudy does not disclose performing an automated verification that the inmate is the inmate who .has been prescribed the inmate's prescribed medication by a second computer defining a correctional facility unit computer prior to forming a record of dispensing the unit packet of the inmate's prescribed medication to the inmate responsive to the inmate swiping an identification card through a card swiper, the correctional facility unit computer configured to store computerized dispensation, received verification, and administration verification records; receiving a data entry from a correctional facility pill window technician for the respective correctional facility unit indicating an allergic reaction to the inmate's prescribed medication; and updating the inmate's electronic medical record over a communications network responsive to the step of receiving the data entry indicating an allergic reaction to the inmate's prescribed medication.

Claims 2-5 and 7-15 incorporates all the limitations of claim 1 and are allowed for the same reasons given above.

Claims 25, 27, 33, and 35 recites substantially similar limitations to claim 1.

Additionally, claims 26, 28-32, and 36 incorporate all the limitations of claims 25, 27, 33, or 35 and are allowed for the same reasons given above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIND PHONGSVIRAJATI whose telephone number is (571) 270-5398. The examiner can normally be reached on Monday - Thursday 8:00am-5:00pm (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/S. P./  
Examiner, Art Unit 3686  
12 July 2010

/Gerald J. O'Connor/  
Supervisory Patent Examiner  
Group Art Unit 3686